

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SIGNA DEVELOPMENT SERVICES, INC., a  
Nebraska corporation;

Plaintiff,

vs.

AMERICAN INTERNATIONAL MATERIALS,  
LLC, a Delaware limited liability company; and  
ATOKA INTERNATIONAL, LLC, a Delaware  
limited liability company;

Defendants.

**8:23CV415**

**SECOND AMENDED  
PROGRESSION ORDER**

The Court grants the parties' Joint Motion to Amend the Final Progression Order ([Filing No. 71](#))

Accordingly,

IT IS ORDERED that the final progression order is amended as follows:

- 1) The trial and pretrial conference will not be set at this time. A status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **June 17, 2025 at 9:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is March 17, 2025. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by March 31, 2025.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 3) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s):	April 14, 2025.
For the defendant(s):	May 19, 2025.
Plaintiff(s)' Rebuttal:	June 2, 2025.
- 4) The deadlines for complete expert disclosures<sup>1</sup> for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s):	May 19, 2025.
For the defendant(s):	June 16, 2025.
Plaintiff(s)' rebuttal:	July 7, 2025.
- 5) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is September 10, 2025.
  - a. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is 8.
  - b. Depositions will be limited by Rule 30(d)(1).
- 6) The deadline for filing motions to dismiss and motions for summary judgment is September 8, 2025.
- 7) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is September 24, 2025.
- 8) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 9) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates.

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<sup>1</sup> While treating medical and mental health care providers are generally not considered “specially retained experts,” not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert’s treatment records and reports must be separately and timely disclosed.

Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 26th day of December, 2024.

BY THE COURT:

s/ Ryan C. Carson  
United States Magistrate Judge